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03/29/2006 TDADE1 00000005 501492 09813522

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PATENT APPLICATION FEE DETERMINATION RECORD
Effective October 1, 2000

Application or Docket Number

09/813522

CLAIMS AS FILED - PART I

(Column 1)	(Column 2)
TOTAL CLAIMS	49
FOR 03/21/01	NUMBER FILED
TOTAL CHARGEABLE CLAIMS	49 minus 20 = 29
INDEPENDENT CLAIMS	6 minus 3 = 3
MULTIPLE DEPENDENT CLAIM PRESENT	<input type="checkbox"/>

• If the difference in column 1 is less than zero, enter "0" in column 2

09/01/04

CLAIMS AS AMENDED - PART II

(Column 1)	(Column 2)	(Column 3)
AMENDMENT A	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	49	Minus
Independent	6	Minus
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		

06/08/05

(Column 1)	(Column 2)	(Column 3)
AMENDMENT B	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	49	Minus
Independent	6	Minus
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		

03/14/06

(Column 1)	(Column 2)	(Column 3)
AMENDMENT C	CLAIMS REMAINING AFTER AMENDMENT	HIGHEST NUMBER PREVIOUSLY PAID FOR
Total	48	Minus
Independent	6	Minus
FIRST PRESENTATION OF MULTIPLE DEPENDENT CLAIM		

- If the entry in column 1 is less than the entry in column 2, write "0" in column 3.
- If the "Highest Number Previously Paid For" IN THIS SPACE is less than 20, enter "20."
- ***If the "Highest Number Previously Paid For" IN THIS SPACE is less than 3, enter "3."

The "Highest Number Previously Paid For" (Total or Independent) is the highest number found in the appropriate box in column 1.

SMALL ENTITY TYPE	OTHER THAN SMALL ENTITY
RATE	FEES
BASIC FEE	355.00
OR	BASIC FEE 710.00
X\$ 9=	
OR	X\$18= 522
X40=	
OR	X80= 240
+135=	
OR	+270=
TOTAL	
OR	TOTAL 1,472

SMALL ENTITY	OTHER THAN SMALL ENTITY
RATE	ADDITIONAL FEE
X\$ 9=	
OR	X\$18=
X40=	
OR	X80=
+135=	
OR	+270=
TOTAL ADDIT. FEE	
OR	TOTAL ADDIT. FEE 0

RATE	ADDITIONAL FEE
X\$ 9=	
OR	X\$18=
X40=	
OR	X80=
+135=	
OR	+270=
TOTAL ADDIT. FEE	
OR	TOTAL ADDIT. FEE 0

RATE	ADDITIONAL FEE
X\$ 9=	
OR	X\$18=
X40=	
OR	X80=
+135=	
OR	+270=
TOTAL ADDIT. FEE	
OR	TOTAL ADDIT. FEE 0

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MAR 14 2006

[4010170901]
IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Inventor(s)	:	Madsen et al.
Serial No.	:	09/813,522
Filing Date	:	March 21, 2001
For	:	Dynamic Software Code Instrumentation Method and System
Group Art Unit	:	2191
Examiner	:	Qamarun Nahar

Commissioner for Patents
P.O. Box 1650
Alexandria, VA 22313-1650

**TERMINAL DISCLAIMER TO OBLVIAE A
DOUBLE PATENTING REJECTION OVER A PRIOR PATENT APPLICATION**

WIND RIVER SYSTEMS, INC. is the owner of 100% percent interest in the above-identified application. The owner hereby disclaims, except as provided below, the terminal part of the statutory term of any patent granted on the instant application, which would extend beyond the expiration date of the full statutory term defined in 35 U.S.C. 154 to 156 and 173, as presently shortened by any terminal disclaimer, of prior U.S. Patent entitled *Dynamic Software Code Instrumentation With Castle Disabling Feature*, issued on May 28, 2002 and assigned Patent No. 6,397,382. The owner hereby agrees that any patent so granted on the instant application shall be enforceable only for and during such period that it and the prior patents are commonly owned. This agreement runs with any patent granted on the instant application and is binding upon the grantee, its successors or assigns.

In making the above disclaimer, the owner does not disclaim the terminal part of any

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MAR 14 2006

Attorney Docket No. 40101/1091

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant :	Matsen et al.
Serial No. :	09/813,522
Filed :	March 21, 2001
For :	Dynamic Software Code Instrumentation Method and System
Group Art Unit :	2191
Examiner :	Quanran Naber

Statement of Priority
<p>I hereby certify that this paper is being transmitted via facsimile to:</p> <p>Mail Stop: Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450</p> <p>Sy: [Signature]</p> <p>Date: March 14, 2006</p> <p>By: Michael J. Marcin, Reg. No. 48,198</p>

TRANSMISSION

In response to the Office Action mailed December 16, 2005, please find an Amendment and a Terminal Disclaimer for filing in the above-identified application. Please charge the Deposit Account of Fay Kaplun & Marcini, LLP No. 50-1492 in the amount of \$130.00 for the Terminal Disclaimer. The Commissioner is hereby authorized to charge any additional fees to the Deposit Account of Fay Kaplun & Marcini, LLP No. 50-1492. A copy of this paper is enclosed for that purpose.

Respectfully submitted,


Dated: March 14, 2006

By: _____
 Michael J. Marcini, Reg. No. 48,198

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